

REMARKS

The Applicants have now had an opportunity to carefully consider the comments set forth in the Office Action of March 1, 2004. Amendment, reexamination and reconsideration of the application are respectfully requested.

The Office Action

In the Office Action mailed March 1, 2004:

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Application Publication 2003/0016804 A1 by Sheha et al. ("Sheha");

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,727,057 to Emery et al. ("Emery");

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,310,944 B1 to Brisebois ("Brisebois");

Claims 1-2, 12, 19, 20, 30 and 31 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,185,426 B1 to Alpervich et al. ("Alpervich");

Claims 31-34 were rejected under 35 U.S.C. §102(a), (b) as being anticipated by either of U.S. Patent No. 6,609,005 B1 to Chern et al. ("Chern") or U.S. Patent No. 5,625,668 to Loomis et al. ("Loomis"); and

Claims 6-9, 24-27 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over any one of Sheha, Emery and Brisebois in view of UK Patent Application GB 2 215 932 A by McCaughan et al. ("McCaughan").

The Present Application

By way of brief review, the Present Application is directed to methods and systems for including caller location information in information made available to user equipment of a called party. For example, the methods include determining that a called party subscribes to a caller location service based on extracted called party identification information extracted from a call request or origination message (FIG. 1, 122). Some embodiments include determining (FIG. 1, 126, FIG. 2, 214, 222) if the called party desires location information for the particular calling party. If the called party does subscribe to a location service and desires location information for the calling party, a determination is made as to the location of the calling party and that location information is transmitted to user equipment of the called party. Neither the

calling or called party is required to be “signed-on” to any auxiliary system. Additionally, only the called party needs to be associated with (e.g., subscribe to) the location service.

The Cited References

In contrast, the primary reference of the Office Action to Sheha allegedly discloses a system and a method for providing real time position information of one party to another party by utilizing a conventional telecommunication network system such as the conventional telephone network, a mobile telecommunications network, a computer network, or the internet. It is respectfully submitted that the user of both the originating and destination telephone numbers must be associated with and “signed-on” to the system of Sheha (e.g., paragraphs 39 and 44). Additionally, it is respectfully submitted that Sheha does not disclose or suggest verifying that the called party desires location information for the calling party. Sheha discloses that an auxiliary system (ODAS) uses authentication and authorization protocols to establish that each user is genuine. However, Sheha does not disclose or suggest that this is done based on information extracted from an origination message. Instead, it is respectfully submitted that the auxiliary system of Sheha performs the verification based on some indirect notification (e.g., paragraph 39) or during some sign-on procedure.

Emery allegedly discloses a method and system for combining and accessing telephony numbering and geographical position information so direct access to information, services and goods may be invoked through the use of various telephone networks. It is respectfully submitted that Emery does not disclose or suggest determining that the called party subscribes to a caller location service or determining or verifying that the called party desires location information for the particular calling party.

Brisebois allegedly discloses a method for augmenting communications between called and calling parties with context information that helps either or both parties decide whether and how to accept or initiate a communications event. However, it is respectfully submitted that Brisebois does not disclose or suggest determining that a called party subscribes to a caller location service or determining or verifying that a called party desires location information for a particular calling party.

Alperovich allegedly discloses a telecommunication system and method for providing a called party with the location of a calling party. However, it is respectfully submitted that Alperovich does not disclose or suggest determining that a called party

subscribes to a caller location service or determining or verifying that the called party desires location information for the calling party.

Chern allegedly discloses a system and method for displaying the current street address on the display of a mobile wireless communications device. It is respectfully submitted that Chern does not even disclose or suggest a called party let alone determining if the called party subscribes to a caller location service or whether or not the called party desires location information for the calling party.

Loomis allegedly discloses a cellular telephone system embodiment including a combination global positioning system receiver and cellular transceiver and data processing facility for converting latitude, longitude, velocity and bearing information provided by the GPS receiver into meaningful descriptors that are spoken with a speech synthesizer back to the cellular transceiver or an outsider who calls in an inquiry to a "1-900" service. It is respectfully submitted that Loomis does not disclose or suggest extracting called party identification information from a call request or origination message, determining that the called party subscribes to a caller location service based on the extracted called party identification information or transmitting a message including a common description of the location of a calling party to user equipment of a called party.

McCaughan allegedly discloses a cellular or similar radio system that measures the propagation time for signals transmitted between a mobile unit and at least two base stations, thereby obtaining two range measurements. This is used in a triangulation process to estimate the position of the mobile unit. However, it is respectfully submitted that McCaughan does not disclose or suggest transmitting PSMM_Request messages or transmitting responses to PSMM_Request messages as disclosed and claimed in the Present Application.

The Claims Are Not Anticipated

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(a) as being anticipated by Sheha. However, independent **claims 1, 13, 19** have been amended to recite receiving an origination message from user equipment of the calling party and extracting called party identification information from the origination message or means therefore. Independent **claim 31** has been amended to recite a subscription feature determiner operative to determine if the called party subscribes to a location service based on called party identification information extracted from an origination message.

These amendments are supported throughout the specification (see, for example, page 7, line 33-page 8, line 9 and page 10, lines 23-25).

It is respectfully submitted that Sheha does not disclose or suggest extracting called party identification information from an origination message received from user equipment of a calling party or determining if called party subscribes to a location service based on such extracted information.

Additionally, it is respectfully submitted that the recitation of --origination message-- distinguishes the claimed subject matter from references that describe methods and systems that are based on devices that are auxiliary to a communications network (e.g., the ODAS of Sheha).

For at least the foregoing reasons, **claim 1**, as well as **claims 2-18**, which depend therefrom, are not anticipated by Sheha.

Additionally, **claim 3** recites determining that the user equipment of the calling party includes a GPS receiver and requesting GPS coordinates from the user equipment of the calling party. It is respectfully submitted that Sheha does not disclose or suggest determining that the user equipment of the calling party includes a GPS receiver. Instead, Sheha asserts that the location of the mobile device is typically calculated by the mobile device by using an onboard position information device that is connected to the mobile device, or by getting network assisted position information from the wireless network through a separate or same wireless connection. It is respectfully submitted that since the location of the mobile device in Sheha is calculated by the mobile device, Sheha teaches away from determining that the user equipment of the calling party includes a GPS receiver, as this would be known by the mobile device and would not need to be determined.

Claim 4 recites determining that the user equipment of the calling party does not include a GPS receiver and requesting coordinates of the calling party user equipment from a reference cell site of the user equipment of the calling party. Again, Sheha does not disclose or suggest determining that the user equipment of the calling party does not include a GPS receiver and requesting coordinates of the calling party user equipment from a reference cell site. Sheha discloses the location of the mobile device is calculated by the mobile device (paragraph 45) and does not disclose or suggest that coordinates of the calling party user equipment are requested from a reference cell site.

Claim 5 recites determining that the user equipment of the calling party does not include a GPS receiver and requesting coordinates of the calling party's user equipment

be determined by cellular triangulation. Arguments similar to those submitted in support of **claim 4** are submitted in support of **claim 5**. It is respectfully submitted that Sheha does not disclose or suggest determining that the user equipment of the calling party does not include a GPS receiver.

For at least the foregoing additional reasons, **claims 3-5** are unanticipated by Sheha.

Claim 12 has been placed in independent form and recites verifying that the calling party is included in a list of potential calling parties for which the called party desires location information. Sheha does not disclose or suggest verifying that the calling party is included in a list of potential calling parties for which the called party desires location information.

For at least this additional reason, **claim 12** is unanticipated by Sheha.

Claim 13 recites determining that the called party subscribes to a caller location service based on extracted called party identification information, determining if the user equipment of the calling party is GPS enabled, requesting GPS coordinates from the user equipment of the calling party if the user equipment of the calling party is GPS enabled, requesting cellular triangulation services be used to generate location information regarding the user equipment of the calling party if the user equipment of the calling party is not GPS enabled, determining a common description of a location of the calling party based on the GPS coordinates or the generated location information and including a representation of the common description of the location in a caller ID field of a message. Arguments similar to those submitted in support of **claims 1-5** are submitted in support of **claim 13**. Sheha does not disclose or suggest determining that the called party subscribes to a caller location service or determining if the user equipment of the calling party is GPS enabled.

For at least the foregoing additional reasons, **claim 13**, as well as **claims 14-18** which depend therefrom, is unanticipated by Sheha.

Additionally, **claim 14** recites extracting calling party user equipment identification information from the origination message, retrieving a list of potential calling party user equipment for which the called party desires location information, comparing the extracted calling party user equipment identification information to entries in the list of potential calling party user equipment and determining that one of the entries in the list matches the extracted calling party user equipment identification information.

It is respectfully submitted that Sheha does not disclose or suggest retrieving a list of potential calling party user equipment for which the called party desires location information. Sheha does not disclose or suggest comparing the extracted calling party user equipment identification information to entries in the list of potential calling party user equipment. Sheha does not disclose or suggest determining that one of the entries in the list matches the extracted calling party user equipment identification information.

Claim 15 recites querying a subscriber database associated with the called party and retrieving location feature subscription information regarding the called party. It is respectfully submitted that Sheha does not disclose or suggest retrieving location feature description information regarding the called party.

Claim 16 recites that determining if the user equipment of the calling party is GPS enabled comprises extracting calling party user equipment identification information from the call request and retrieving a list of potential calling party user equipment for which the called party desires location information, the list including GPS enablement status information regarding the potential calling party user equipment. It is respectfully submitted that Sheha does not disclose or suggest retrieving a list of potential calling party user equipment for which the called party desires location information, the listing including GPS enablement status information regarding the potential calling party user equipment.

Claim 17 recites sending a GPS Enablement Query message to the user equipment of the calling party. It is respectfully submitted that Sheha does not disclose or suggest sending a GPS Enablement Query message to the user equipment of the calling party.

Claim 18 recites transmitting a plurality of PSMM Data Collection messages to a respective plurality of cell sites within range of user equipment of the calling party. It is respectfully submitted that Sheha does not disclose or suggest transmitting a plurality of PSM Data Collection messages to a respective plurality of cell sites within range of the user equipment of the calling party.

For at least the foregoing additional reasons, **claims 14-18** are unanticipated by Sheha.

Arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 19**.

For the foregoing reasons, **claim 19** as well as **claims 21-30**, which depend

therefrom, is unanticipated by Sheha.

Additionally, arguments similar to those submitted in support of **claims 3-12** are submitted in support of **claims 21-30**.

For at least these additional reasons, **claims 21-30** are unanticipated by Sheha.

Claim 31 recites a mobile switching center operative to provide calling party location information to user equipment of a called party. The mobile switching center includes a coordinate determiner operative to determine geographic coordinates of user equipment of a calling party, a coordinate converter operative to determine a common description for a geographic location associated with the geographic coordinates determined by the coordinate determiner and a network interface operative to transmit the common description to the user equipment of the called party.

It is respectfully submitted that Sheha does not disclose or suggest a mobile switching center including a coordinate determiner, a coordinate converter and a network interface as recited in **claim 31**. Additionally, it is respectfully submitted that the ODAS of Sheha is not a mobile switching center. Furthermore, Sheha discloses that the location of the mobile device is typically calculated by the mobile device (paragraph 45). Sheha does not disclose or suggest that a location of a mobile device is calculated or determined by a mobile switching center or a coordinate determiner thereof.

For at least the foregoing reasons, **claim 31**, as well as **claims 32-34**, which depend therefrom, is unanticipated by Sheha.

Additionally, as explained above, **claim 31** has been amended to recite a subscription feature determiner operative to determine if the called party subscribes to a location service based on called party identification information extracted from an origination message. In this regard, arguments similar to those submitted in support of **claim 1** are submitted in support of **claim 31**.

For at least these additional reasons, **claim 31**, as well as **claims 32-34**, which depend therefrom, is not anticipated by Sheha.

Claim 32 recites that the coordinate determiner comprises a GPS coordinate determiner operative to send a request for GPS coordinates to the user equipment of the calling party. It is respectfully submitted that in the system of Sheha, location information is simply transmitted by the phone of the calling party as part of the call request process (paragraph 35). Sheha does not disclose or suggest a GPS coordinate determiner operative to send a request for GPS coordinates to the user equipment of a

calling party.

Claim 33 recites that the coordinate determiner of the mobile switching center comprises a cellular triangulator operative to coordinate the collection of measurements associated with the user equipment of the calling party and the calculation of geographic coordinates associated with the location of the user equipment of the calling party based on the collected measurements. Instead, Sheha discloses the location of the mobile device is calculated by the mobile device by using an onboard position information device that is connected to the mobile device, or by getting network assisted position information from the wireless network through a separate or same wireless connection, such as, for example, time of arrival algorithm techniques.

Claim 34 recites that the cellular triangulator of the mobile switching center is operative to collect the measurements associated with the user equipment through the transmission of a plurality of PSMM_Request messages. It is respectfully submitted that Sheha does not disclose or suggest transmitting a plurality of PSMM_Request messages.

For at least the foregoing additional reasons, **claims 32-34** are unanticipated by Sheha.

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(b) as being anticipated by Emery. In explaining this rejection the Office Action asserts that Emery discloses a method and system including a mobile, wireless device in a network wherein a telephone ID is combined with a location ID, stored in a PSTN in a dynamic fashion and providing access of such information to the calling as well as the called party. However, the Office Action does not assert that Emery discloses the elements recited in the claims of the present application. For example, the Office Action does not assert that Emery discloses determining that a called party subscribes to a caller location service based on extracted called party identification information. Furthermore, the Applicants have carefully reviewed Emery and can find no such disclosure or suggestion. Additionally, as explained above, independent **claims 1, 13, 19 and 31** have been amended to refer to an origination message.

For the foregoing reasons, **claim 1**, as well as **claims 2-12**, which depend therefrom, is unanticipated by Emery.

It is respectfully submitted that independent **claims 13 and 19** recite determining that the called party subscribes to a caller location service based on the extracted called party identification information and means for determining that the called party

subscribes to a caller location service based on the extracted called party identification information respectively. Arguments similar to those submitted in support of **claim 1** are submitted in support of **claims 13 and 19**.

For at least the foregoing reasons, **claims 13 and 19**, as well as **claims 14-18 and 20-30** are unanticipated by Emery.

Additionally, **claim 12** has been placed in independent form and recites verifying that the calling party is included in a list of potential calling parties, for which the called party desires location information. It is respectfully submitted that Emery does not disclose or suggest verifying that the calling party is included in the list of potential calling parties for which the called party desires location information.

For at least the foregoing additional reasons, **claim 12** is unanticipated by Emery.

Claim 14 recites retrieving a list of potential calling party user equipment for which the called party desires location information, comparing the extracted calling party user equipment identification information to entries in the list of potential calling party user equipment and determining that one of the entries in the list matches the extracted calling party user equipment identification information.

It is respectfully submitted that Emery does not disclose or suggest these elements of **claim 14**.

Claim 15 recites that determining that the called party subscribes to a caller location service based on the extracted called party identification information comprises querying a subscriber database associated with the called party and retrieving location feature subscription information regarding the called party. It is respectfully submitted that Emery does not disclose or suggest these elements of **claim 15**.

Claim 16 recites that determining if the user equipment of the calling party is GPS enabled comprises extracting calling party user equipment identification information from the call request and retrieving a list of potential calling party user equipment for which the called party desires location information, the list including GPS enablement status information regarding the potential calling party user equipment. It is respectfully submitted that Emery does not disclose or suggest retrieving a list of potential calling party user equipment for which the called party desires location information, the list including GPS enablement status information regarding the potential calling party user equipment.

Claim 17 recites that determining if the user equipment of the calling party is

GPS enabled comprises sending a GPS Enablement Query message to the user equipment of the calling party. It is respectfully submitted that Emery does not disclose or suggest sending a GPS Enablement Query message to user equipment of the calling party.

Claim 18 recites requesting cellular triangulation services comprises transmitting a plurality of PSMM Data Collection messages to a respective plurality of cell sites within range of the user equipment of the calling party. It is respectfully submitted that Emery does not disclose or suggest transmitting a plurality of PSM Data Collection messages to a respective plurality of cell sites within range of the user equipment of the calling party.

For at least the foregoing additional reasons, it is respectfully submitted that **claims 14-18** are unanticipated by Emery.

Additional arguments similar to those submitted in support of **claims 3-5 and 12** are submitted in support of **claims 21-23 and 30**.

For at least these additional reasons, **claims 21-23** are unanticipated by Emery.

Claim 31 has been amended to recite a subscription feature determiner operative to determine if the called party subscribes to a location service based on called party identification information extracted from an origination message and a coordinate determiner operative to determine geographic coordinates of user equipment of the calling party, if the subscription feature determiner determines that the called party subscribes to a location service. It is respectfully submitted that Emery does not disclose or suggest a mobile switching center comprising a subscription feature determiner operative to determine if the called party subscribes to a location service and a coordinate determiner operative to determine geographic coordinates of user equipment of a calling party, if the subscription feature determiner determines that the called party subscribes to a location service.

As explained above, the amendments to **claim 31** are supported by the specification. For example, see page 10, lines 23 and 24 and in FIG. 4 (**418**).

For the foregoing reasons, **claim 31**, as well as **claims 32-34**, which depend therefrom, is unanticipated by Emery.

Additionally, **claim 34** recites the cellular triangulator is operative to collect measurements associated with the user equipment through the transmission of a plurality of PSMM_Request messages. It is respectfully submitted that Emery does not disclose or suggest performing cellular triangulation through the transmission of a

plurality of PSMM_Request messages.

Claims 1-5, 10-23 and 28-33 were rejected under 35 U.S.C. §102(b) as being anticipated by Brisebois. In explaining these rejections the Office Action asserts that Brisebois discloses a system and method for providing dynamic information to called and called parties indicating the context of a communication event.

However, Brisebois provides no disclosure as to how “the network” can perform these functions. Furthermore, even if Brisebois disclosed that which is suggested, Brisebois does not disclose or suggest determining that the called party subscribes to a caller location service as recited in independent **claims 1, 13 and 19** and **claim 31**. Additionally, **claims 1, 13, 19 and 31** have been amended to refer to an origination message.

For at least the foregoing reasons, independent **claims 1, 13, 19 and 31** are not anticipated by Brisebois.

Furthermore, it is respectfully submitted that Brisebois does not disclose or suggest any of the additional elements recited in the dependent **claims 2-12, 14-18, 20-30 and 32-34**.

For at least the foregoing additional reasons, **claims 2-12, 14-18, 20-30 and 31-34** are unanticipated by Brisebois.

Claims 1, 2, 12, 19, 20, 30 and 31 were rejected under 35 U.S.C. §102(b) as being anticipated by Alperovich. In explaining these rejections, the Office Action asserts that Alperovich discloses a method and system for including location information of a called party to a called party and visa versa wherein a location database at a station controller cross references location information in the format it is received in by a master control station with approximate geographical landmarks. The Applicants assume the Office Action meant to assert that Alperovich discloses a method and system for including location information of a calling party to a called party.

However, the Office Action does not assert that Alperovich discloses each of the elements recited in the claims. For example, the Office Action does not assert that Alperovich discloses determining that the called party subscribes to a caller location service as recited in independent **claims 1, 19 and 31**. Additionally, **claims 1, 19 and 31** have been amended to refer to an origination message.

For at least the foregoing reasons, **claim 1**, as well as **claims 2 and 12**, which depend therefrom, **claim 19** as well as **claims 20 and 30**, which depend therefrom and **claim 31** are unanticipated by Alperovich.

Additionally, **claim 12** has been placed in independent form and recites verifying that the calling party is included in a list of potential calling parties for which the called desires location information and **claim 30** recites means therefore. It is respectfully submitted that Alperovich does not disclose or suggest verifying that the calling party is included in a list of potential calling parties for which the called party desires location information, or means therefore.

For at least the foregoing additional reasons, **claims 12 and 30** are unanticipated by Alperovich.

Claims 31-34 were rejected under 35 U.S.C. §102(a), (b) as being anticipated by either of Chern or Loomis. In explaining these rejections, the Office Action asserts that each of Chern and Loomis disclose a base station that receives coordinate data, converts the coordinate data to a common description of a location and transmits the common description.

Even if the assertions of the Office Action are correct, **claim 31** does not recite a base station. **Claim 31** recites a mobile switching center. Furthermore, **claim 31** recites a coordinate determiner operative to determine geographic coordinates of user equipment of a calling party and a network interface operative to transmit the common description to the user equipment of the called party.

In this regard, it is respectfully submitted that neither Chern nor Loomis disclose or suggest a called party. Chern allegedly discloses a web server that is accessed by a calling party so that the calling party may receive an understandable display indicating where the calling party is (column 2, lines 45-51). Loomis allegedly discloses a data processing facility for converting latitude, longitude, velocity and bearing information provided by a GPS receiver into meaningful descriptors that are spoken with a speech synthesizer back to the cellular transceiver (calling party) or an outsider who calls in an inquiry to a "1-900" service (Abstract).

For at least the foregoing reasons, **claim 31** is unanticipated and is not obvious in light of Chern and Loomis taken alone or in any combination.

Furthermore, **claim 31** has been amended to recite a subscription feature determiner operative to determine if the called party subscribes to a location service. It is respectfully submitted that neither Chern nor Loomis disclose a subscription feature determiner operative to determine if the called party subscribes to a location service.

For at least this additional reason, **claim 31**, as well as **claims 32-34**, which depend therefrom, is unanticipated and is not obvious in view of Chern and Loomis

taken alone or in any combination.

The Claims are Not Obvious

Claims 6-9, 24-27 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over one of Sheha, Emery, and Brisebois in view of McCaughan. In explaining these rejections, the Office Action asserts that each of Sheha, Emery and Brisebois teach the subject matter substantially as claimed but stipulates that they fail to specifically describe the triangulation using two-way ranging messages. With regard to the assertion, as explained above, Sheha, Emery and Brisebois do not disclose or suggest subject matter substantially as claimed. It is respectfully submitted that McCaughan does not remedy the deficiencies of Sheha, Emery and Brisebois.

Even if Sheha, Emery and Brisebois do disclose the subject matter asserted by the Office Action, McCaughan does not disclose or suggest the subject matter for which it is relied upon by the Office Action.

For example, **claim 6** has been amended to correct antecedents, to recite transmitting a first, second and third PSMM_Request message and transmitting first, second and third responses to the first, second and third PSMM_Request messages. **Claim 7** recites transmitting a plurality of PSMM_Request messages and transmitting a plurality of responses to the plurality of PSMM_Request messages. **Claims 24 and 25** recited means therefore, respectively. **Claim 34** recites a cellular triangulator is operative to collect the measurements associated with user equipment to the transmission of a plurality of PSMM_Request messages. It is respectfully submitted that McCaughan does not disclose or suggest Pilot Strength Measurement Messages (PSMM). Instead, McCaughan refers to something called "acknowledgement-request signals" (page 3, line 8).

For at least the foregoing reasons, **claims 6-9, 24-27 and 34** are not obvious in light Sheha, Emery, Brisebois and McCaughan taken alone or in any combination.

Telephone Interview

In the interests of advancing this application to issue the Applicant(s) respectfully request that the Examiner telephone the undersigned to discuss the foregoing or any suggestions that the Examiner may have to place the case in condition for allowance.

CONCLUSION

Claims 1-34 remain in the application. **Claim 12** has been placed in independent form. For at least the reasons detailed above, it is respectfully submitted the claims are now in condition for allowance. An early indication thereof is respectfully requested.

Respectfully submitted,

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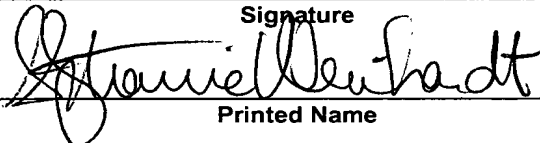
May 28, 2004
Date

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